

REMARKS

All claims rejected under 35 USC 102 and 103 have been canceled without prejudice or disclaimer to expedite allowance of independent claim 7 and claims depending therefrom, which were only rejected over some or all of claims 1-7 of U.S. Patent No. 6,972,173 in view of Chen or Fritzsche for obviousness-type double patenting by submission of the enclosed terminal disclaimer.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no.

070702008020.

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Respectfully submitted,

By

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